

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

SWATCH S.A.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:11-cv-434 LO/JFA
	)	
BEEHIVE WHOLESALE, L.L.C.,	)	
	)	
Defendant.	)	
_____	)	

**ORDER REGARDING TRIAL**

Plaintiff, Swatch S.A. ("Swatch") and Defendant, Beehive Wholesale, L.L.C. ("Beehive"), by counsel, agree to submit this case for resolution by the Court on a written record, with subsequent briefing, and respectfully request the Court to enter the following Order:

1. The trial in open court currently scheduled for October 24 to 25, 2011 is cancelled.
2. The parties shall exchange their trial evidence on October 26, 2011. Such evidence shall include the exhibits on which the parties wish to rely and declarations by any witnesses. All such exhibits and witnesses must have been disclosed in connection with the parties' Joint Pretrial Disclosures and shall be consistent with the parties' Proposed Joint Discovery Plan (Dkt. No. 9) and the Rule 16(B) Scheduling Order (Dkt. No. 10). Each party shall file an electronic copy of its trial evidence by ECF, and deliver a written copy to chambers, by October 28, 2011. The parties are authorized to include color exhibits. To the extent the parties include designated portions of depositions with their trial evidence, they will include any counterdesignations made by the other party, without prejudice to any objections the submitting party may have to the propriety of any of the counterdesignations.

3. The parties shall serve and file trial briefs, together with proposed findings of fact and conclusions of law, by November 14, 2011. The trial briefs may not exceed 50 pages. At the same time, each party may file a motion raising any objections to the other party's submitted evidence (including counterdesignations) it wishes to assert. Such motion shall not object to the other party's exhibits on grounds not included in the parties' August 29 filed objections. Such motion shall not be noticed for hearing.
4. Responsive trial briefs, and oppositions to any motions regarding evidence, shall be filed by November 22, 2011. The responsive trial briefs may not exceed 35 pages.
5. The Court will advise the parties if it wishes to schedule an oral argument. The Court will otherwise decide the case, and rule on the evidentiary objections, based on the submitted evidence and written argument.

Counsel for Defendant

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Liam O'Grady  
United States District Judge